

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

WILLIAM RAY THOMAS,

06-CV-1626-ST

Plaintiff,

ORDER

v.

BRIAN BELLEQUE, OSP
Superintendent; T. MANU,
Lieutenant - STG OSP; and
MITCH MORROW, Deputy
Director,

Defendants.

WILLIAM RAY THOMAS
10157454
Oregon State Penitentiary
2605 State Street
Salem, OR 97310

Plaintiff, *Pro Se*

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Attorney General
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Attorneys for Defendants

BROWN, Judge.

Magistrate Judge Janice M. Stewart issued Findings and Recommendation (#34) on February 8, 2008, in which she recommended the Court grant Defendants' Motion for Summary Judgment (#26) and enter judgment in favor of Defendants. Plaintiff filed timely objections to the Findings and Recommendation. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b).

When any party objects to any portion of the Magistrate Judge's Findings and Recommendation, the district court must make a *de novo* determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1). *See also United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003)(*en banc*); *United States v. Bernhardt*, 840 F.2d 1441, 1444 (9th Cir. 1988).

This Court has carefully considered Plaintiff's Objections and concludes they do not provide a basis to modify the Findings and Recommendation. The Court also has reviewed the pertinent portions of the record *de novo* and does not find any error in the Magistrate Judge's Findings and Recommendation.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Stewart's Findings and Recommendation (#34) and, accordingly, **GRANTS** Defendants' Motion for Summary Judgment (#26) and **DISMISSES** this matter **with**

prejudice.

IT IS SO ORDERED.

DATED this 16th day of April, 2008.

/s/ Anna J. Brown

ANNA J. BROWN
United States District Judge